

will then be unnecessary to change Senate procedures. . . . But if my Democratic colleagues continue to filibuster judicial nominees, the Senate will face this choice: Fail to do its constitutional duty or reform itself and restore its traditions, and do what the Framers intended.

And it was at that point I made it clear that if the obstruction of fulfilling our constitutional duty continued, I would enforce the constitutional option—what some of my colleagues took to calling the “nuclear” option.

The principle is simple. The U.S. Senate has a constitutional obligation of advice and consent on the President’s nominees.

To consent—or not consent. To vote yea or nay.

That is our constitutional duty.

And nothing—not party, not ideology, not politics, and not even tradition—should interfere.

That is the principle.

The nomination process is a grueling experience. Even for those nominees with impeccable credentials, a spotless record, and unassailable positions—it’s anything but pleasant.

We grill nominees. We scrutinize their every word—both written and spoken. We demand justifications for their every action and decision. We advertise their flaws, both real and imagined. And we posit hypothetical situations before them, to gauge their reactions.

It takes a certain amount of stamina—of endurance—to undergo the nomination process. It demands exposure of the nominees and their families to public slander and character assassination.

And yet we have the audacity to compound this grueling experience by forcing nominees to languish without benefit of a vote.

So the principle I outlined at the beginning of this Congress—that every nominee should have a fair up-or-down vote—is twofold. First, each vote is the fulfillment of our constitutional duty to offer advice and consent on each of the President’s nominees. And second, each vote offers a measure of fairness to nominees. They have submitted to the grueling public scrutiny entailed by the nomination process. In return, they deserve a definitive answer—yea or nay—on whether they have passed muster.

Undoubtedly, we lose many qualified candidates because they choose not to endure the public scrutiny of being nominated. But how many more do we lose—needlessly—because they fear languishing without a vote?

That is why I made it clear—at the outset of this Congress—that I could not countenance the perpetuation of the travesties of the previous Congress.

Looking back, I firmly believe that without that firm stand—without the promise of the constitutional option—we would not be where we are today.

Without the promise of the constitutional option, we would not have seen the so-called Gang of 14.

Without the promise of the constitutional option, it’s unlikely we would

have confirmed two Supreme Court nominees with such timeliness.

Without the promise of the constitutional option, I have no doubt that future generations would look at the 109th Congress as a negative turning point for the Senate. A turning point in which, through our passivity, we allowed a laudable Senate tradition to trump Senate duty as defined in the Constitution.

We have, for the time being, protected our Senate legacy.

I recounted these events for a reason. There is purpose to my reminiscing.

This week we are wrapping up the business of the 109th Congress. We are preparing for a change in control of the Senate. Many of my colleagues will return for the 110th Congress. I would leave them with this challenge: continue the progress of the 109th Congress.

We have halted the deterioration of the nominations process. We have even turned it around, helping prevent numerous nominees from languishing indefinitely.

But despite these important strides, there have still been casualties.

Just yesterday, President Bush accepted John Bolton’s resignation from his post as Ambassador to the United Nations. A man eminently qualified to articulate the position of the United States—and yet a minority of my colleagues refused to grant him an up-or-down vote.

They refused to take a decisive stand—yea or nay. And in so doing, they abdicated their constitutional duty of advice and consent.

And there are others. Ten circuit court nominees still await a definitive vote, as do 21 district court nominees. And some have waited years. Not months, and certainly not days: but years.

It is true that the number of nominees still languishing is smaller now than it was at the end of the 108th Congress. And I firmly believe that what progress we’ve realized is a direct result of standing on principle.

For more than 200 years, the Senate operated on the underlying assumption that every nominee deserved an up-or-down vote. In the 109th Congress, we were forced to defend that assumption. And we did so, by standing on principle.

We have made important strides. We have stopped the downward spiral, and started to regain lost ground. But the fact remains: we still have farther to go. We have made progress, but it hasn’t been enough.

So let me reiterate: to the 110th Congress—to my returning colleagues, and to the new Members—I issue this challenge: continue that upward momentum. Continue the progress of the 109th Congress.

Fulfill your constitutional duty of a fair up-or-down vote on each nominee.

Fulfill your commitment to fairness by giving nominees a firm yea or nay.

And fulfill your place in history by helping preserve the Senate’s legacy.

Don’t let history remember the 110th Congress as the one when the Senate turned rebel.

It comes down to this: You can build on the progress of the 109th Congress. Or you can abdicate your constitutional duty, and irreparably damage America.

Looking back, I can proudly say the Senate stood on principle during the 109th Congress. We made genuine progress. I hope I can say the same of future Congresses.

SECRETARY OF THE SENATE EMILY REYNOLDS

Mr. FRIST. Mr. President, I came to the floor to recognize two individuals who have been very close to me and contributed significantly to the progress I have made here in this body and, indeed, the progress that we make as an institution.

I rise to pay tribute to Emily Reynolds, our magnificent Secretary of the Senate. Abraham Lincoln once said, “I am a success today because I had a friend who believed in me, and I didn’t have the heart to let him down.”

Looking back at the past 13 years, those words ring true. I know for a fact that successes and triumphs I have enjoyed throughout my years in office are largely attributable to family and friends and staff, people who have stood with me, people who hold me to a higher standard, people who compel me to meet that standard.

Today, I specifically speak about one such person who has been at the center of everything I have done over the past 13 years, Emily Reynolds. No one has believed in our mutual vision for the future of Tennessee and the country—that mutual vision that she has shared and I have shared, that we have shared for the people of Tennessee—nobody has articulated and stood behind that more than Emily Reynolds.

Most of my colleagues know Emily as the Secretary of the Senate. She is the woman who keeps the legislative machine well oiled, moving and running smoothly, no matter what the circumstances; the woman largely responsible for bringing us the Capitol Visitor Center, and the woman who signs our paychecks every other week.

Thirteen years ago this month, I came out of the operating room having made the decision to run for the Senate. I learned early on from my experiences in the operating room—part of the surgical team—how important it is to surround yourself with the best of the best. So I sought counsel from former Majority Leader Howard Baker, who very quickly introduced me to his former chief of staff Jim Cannon. They both within a few days steered me to a remarkable fellow Tennessean who has literally been with me every step of the way over the last 13 years, currently serving as Secretary of the Senate, Emily Reynolds. It should come as no surprise after meeting her that I wanted Emily on my team.

In that first campaign, I was a political novice. I was the underdog. I had no political experience whatsoever. The pundits said I didn't have a fighting chance. But Emily had faith in our vision. She moved from Washington back home to Tennessee to join our fledgling campaign. She believed in our mission.

When we set up our 24-hour-a-day campaign headquarters over a restaurant in Nashville, Emily was there almost 24 hours a day. When I opened my first official Senate office, she was there. And now, as I—as we all—carry our last boxes out of our offices and out of this majority leader's suite, she is there standing with me.

She served as my deputy campaign director back in 1994, and as my state director at home in Tennessee, and as my campaign manager for my reelection campaign in 2000, as chief of staff of my Tennessee office here in Washington, and for the past 4 years, she has served all 100 Senators as the 31st Secretary of the Senate.

To this day, the range of Emily's capabilities astounds me. She is a genuine people person. People love her. People are attracted to her warm personality. She makes you smile. She makes you laugh.

And what versatility. She is comfortable shooting the breeze with farmers down in rural Tennessee. But she is just as comfortable walking the Halls of the Senate and the Congress with Senators, with diplomats and foreign heads of state. No matter what the situation, whether it is singing on the stage of the Grand Old Opry or standing on the floor of the Senate, Emily's passion for people shines through that warm smile.

But beyond possessing the rare capability of being able to set just about anybody at ease, Emily is a talented administrator. She juggles the demands of all 100 Senators, Democrat and Republican alike, and their staffs, a thankless task, while always wearing a friendly smile. She is loved and respected by Members on both sides of the aisle.

Under her direction, the Senate has benefited from an ambitious overhaul of our computer systems, bringing them up to date with the latest in modern technology.

Emily humbly describes her job as "making the trains run on time." That is true. But it doesn't give the complete picture of who she is or what she does. Within the Senate, she has fostered a stable environment of mutual respect and mutual trust. Her supreme attention to detail has served the Senate and our Nation well. Whether she is collaborating with the Sergeant at Arms to develop crisis contingency plans, or working with the Senate Historian's Office to produce new publications that augment and preserve the Senate's history, Emily is a born leader. Her devotion is unmatched.

Emily comes from a very close family whom I have had the privilege to

know. That is where her values come from. That is where her sunny smile comes from. That is where her work ethic comes from. I can only imagine how proud of her accomplishments her dad Clarence is, her sister Ellen, and her brother Ernie, and how proud her mother Josephine would be, too.

Clarence, you did good. You did well.

Emily's service to the Senate will surely be missed. As an institution, we can only hope that she again returns to our body as she did after her service to another Tennessee majority leader, Howard Baker. Yes. In fact, Emily Reynolds worked in the very Republican Leader's office which I now occupy, from 1980 to 1984, where she worked for then chief of staff Jim Cannon, chief of staff for Howard Baker.

I cannot tell you how thankful I am having had her at my side for the past 13 years. She is a true friend and a trusted adviser. I cannot think of anyone more fittingly described by Lincoln's words.

Great things lie ahead for Emily Reynolds. The sky is the limit. And while I don't know exactly what direction she will travel, I am certain that, as always, the people of Tennessee and the entire United States of America will benefit.

CLIMATE CHANGE

Mr. INHOFE. Mr. President, the hearing we had 3 days ago in the Environment and Public Works Committee is one of the four hearings we have had on climate change. It is probably the most misunderstood of all issues out there today—and the most alarming to a lot of people. This hearing was totally different. This hearing was about how the media is skewing the results, how the media is hyping the anxiety of this thing and totally ignoring the science.

It is kind of interesting. A lot of people are not aware that when you have a hearing, you will have Republicans and Democrats each bringing in experts. We had five experts; two of them were brought in by the Democrats and three by the Republicans.

It was interesting because one of the Democrat witnesses, Dr. Daniel Schrag of Harvard, believes that manmade emissions are driving global warming. Let me clarify this because it is not understood by very many people.

The issue is not that the world is getting warmer. Yes. It is. It is always either getting warmer or cooling. There is never any time when it is static.

So we are going through a warming period. It increased to about 1998, and then it stopped pretty much at that time. But even their witness, who was a believer, said that the Kyoto Protocol is not the right approach to take and agreed it had almost no impact on the climate if all the nations complied.

Probably one of the most major breakthroughs that we have had is the recognition by virtually all scientists that the Kyoto Protocol, which would

be devastating to the United States, or any country—ask Great Britain. They will tell you. They signed onto the Kyoto Accord. In fact, if you look at some of the countries, such as Canada, 60 scientists who were advisers to the Prime Minister of Canada are saying if we had known back in the late 1990s the science of today, we would never have done that. Now they are petitioning the Prime Minister to get out of the Kyoto Protocol.

It was kind of interesting. Al Gore, who really believed this was his ticket to the White House back when he was the Vice President of the United States, went to a guy named Tom Quigley, a scientist, and said we would like to know if all the countries—this is back when they were trying to get us in the United States to ratify the Kyoto Protocol—said if all the countries of the developed world were to do this, what effect would that have on the temperature over a 50-year period. He had a neat chart to hold up. He said if all the countries in the developed world, the United States of America and all the other developed nations did this, over 50 years it would reduce the temperature by 6/100ths of 1 degree centigrade, which isn't even measurable.

Now all these people agree with that—all of the scientists who used to be on the other side of the issue.

One of the witnesses there was a paleoclimate researcher, Bob Carter from Australia, the James Cook University. He has gone back to Australia. Everyone recognizes him as being one of the outstanding—in fact, he has been on quite a few TV shows. He says there is a huge uncertainty in every aspect of climate change.

David Deming, a geophysicist, said:

Every natural disaster that occurs is now linked [by the media] with global warming, no matter how tenuous or impossible the connection. As a result, the public has become vastly misinformed on this and other environmental issues.

That is a significant thing. While we recognize that we are going through a natural period where the climate is getting warmer, it was actually warmer in the 1930s than it is today. It was warmer in the fifteenth century than today.

But during this period of time, they are trying to say it is due to man-emitted gases. They are called anti-geometric gases, methane, CO₂. Now they are all realizing that CO₂ has virtually nothing to do with it, and that is why you are seeing so much of the panic in the media. Dan Gainor was one of the only nonscience witnesses. He approached it from an ethical perspective, talking about the one-sided climate coverage, saying it violates the ethical code of the Society of Professional Journalists which urges the media to "support the open exchange of views. Even views they find repugnant." That code calls for reporters to distinguish between advocacy and news reporting which, he says, they have not been doing.